



General Assembly

January Session, 2005

Amendment

LCO No. 7297

HB0658907297HDO

Offered by:

REP. HAMM, 34th Dist.

REP. FONTANA, 87th Dist.

To: Subst. House Bill No. 6589

File No. 26

Cal. No. 61

"AN ACT CONCERNING THE CONNECTICUT SITING COUNCIL."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subparagraph (A) of subdivision (1) of subsection (a) of
4 section 16-50l of the general statutes is repealed and the following is
5 substituted in lieu thereof (*Effective from passage*):

6 (A) In the case of facilities described in subdivisions (1), (2) and (4)
7 of subsection (a) of section 16-50i: (i) A description, including
8 estimated costs, of the proposed transmission line, substation or
9 switchyard, covering, where applicable underground cable sizes and
10 specifications, overhead tower design and appearance and heights, if
11 any, conductor sizes, and initial and ultimate voltages and capacities;
12 (ii) a statement and full explanation of why the proposed transmission
13 line, substation or switchyard is necessary and how the facility
14 conforms to a long-range plan for expansion of the electric power grid
15 serving the state and interconnected utility systems, that will serve the

16 public need for adequate, reliable and economic service; (iii) a map of
17 suitable scale of the proposed routing or site, showing details of the
18 rights-of-way or site in the vicinity of settled areas, parks, recreational
19 areas and scenic areas, residential areas, which shall be defined by
20 local zoning ordinances and regulations, private or public schools,
21 licensed child day care facilities, licensed youth camps, and public
22 playgrounds and showing existing transmission lines within one mile
23 of the proposed route or site; (iv) justification for adoption of the route
24 or site selected, including comparison with alternative routes or sites
25 which are environmentally, technically and economically practical; (v)
26 a description of the effect of the proposed transmission line, substation
27 or switchyard on the environment, ecology, and scenic, historic and
28 recreational values; (vi) a justification for overhead portions, if any,
29 including life-cycle cost studies comparing overhead alternatives with
30 underground alternatives, and effects described in clause (v) of this
31 subparagraph of undergrounding; (vii) a schedule of dates showing
32 the proposed program of right-of-way or property acquisition,
33 construction, completion and operation; (viii) identification of each
34 federal, state, regional, district and municipal agency with which
35 proposed route or site reviews have been undertaken, including a copy
36 of each written agency position on such route or site; and (ix) an
37 assessment of the impact of any electromagnetic fields to be produced
38 by the proposed transmission line.

39 Sec. 502. Subparagraph (D) of subdivision (3) of subsection (a) of
40 section 16-50p of the general statutes is repealed and the following is
41 substituted in lieu thereof (*Effective from passage*):

42 (D) In the case of an electric transmission line, (i) what part, if any,
43 of the facility shall be located overhead, (ii) that the facility conforms to
44 a long-range plan for expansion of the electric power grid of the
45 electric systems serving the state and interconnected utility systems
46 and will serve the interests of electric system economy and reliability,
47 and (iii) that the overhead portions, if any, of the facility are cost
48 effective and the most appropriate alternative based on a life-cycle cost
49 analysis of the facility and underground alternatives to such facility,

50 are consistent with the purposes of this chapter, with such regulations
51 or standards as the council may adopt pursuant to section 16-50t,
52 including, but limited to, the council's best management practices for
53 electric and magnet fields for electric transmission lines and with the
54 Federal Power Commission "Guidelines for the Protection of Natural
55 Historic Scenic and Recreational Values in the Design and Location of
56 Rights-of-Way and Transmission Facilities" or any successor guidelines
57 and any other applicable federal guidelines and are to be contained
58 within an area that provides a buffer zone that protects the public
59 health and safety, as determined by the council. In establishing such
60 buffer zone, the council shall take into consideration, among other
61 things, residential areas, which shall be defined by local zoning
62 ordinances and regulations, private or public schools, licensed child
63 day care facilities, licensed youth camps or public playgrounds
64 adjacent to the proposed route of the overhead portions and the level
65 of the voltage of the overhead portions and any existing overhead
66 transmission lines on the proposed route. At a minimum, the existing
67 right-of-way shall serve as the buffer zone.

68 Sec. 503. Subsection (c) of section 16-50p of the general statutes is
69 repealed and the following is substituted in lieu thereof (*Effective from*
70 *passage*):

71 (c) (1) The council shall not grant a certificate for a facility described
72 in subdivision (3) of subsection (a) of section 16-50i, either as proposed
73 or as modified by the council, unless it finds and determines a public
74 benefit for the facility.

75 (2) The council shall not grant a certificate for a facility described in
76 subdivision (1) of subsection (a) of section 16-50i which is substantially
77 underground or underwater except where such facilities interconnect
78 with existing overhead facilities, either as proposed or as modified by
79 the council, unless it finds and determines a public benefit for the
80 facility, in the case of such facility that is substantially underground,
81 and a public need for such facility, in the case of such facility that is
82 substantially underwater.

83 (3) For purposes of subparagraph (A) of this subdivision, a public
84 benefit exists if such a facility is necessary for the reliability of the
85 electric power supply of the state or for the development of a
86 competitive market for electricity and a public need exists if such
87 facility is necessary for the reliability of the electric power supply of
88 the state.

89 (4) Any application for an electric transmission line with a capacity
90 of three hundred forty-five kilovolts or more that is filed on or after
91 May 1, 2003, and that proposes the underground burial of such line in
92 all residential areas, which shall be defined by local zoning ordinances
93 and regulations, and overhead installation of such line in industrial
94 and open space areas affected by such proposal shall have a rebuttable
95 presumption of meeting a public benefit for such facility if the facility
96 is substantially underground, and meeting a public need for such
97 facility if the facility is substantially above ground. Such presumption
98 may be overcome by evidence submitted by a party or intervenor to
99 the satisfaction of the council.

100 Sec. 504. Subsection (i) of section 16-50p of the general statutes is
101 repealed and the following is substituted in lieu thereof (*Effective from*
102 *passage*):

103 (i) For a facility described in subdivision (1) of subsection (a) of
104 section 16-50i, with a capacity of three hundred forty-five kilovolts or
105 greater, there shall be a presumption that a proposal to place the
106 overhead portions, if any, of such facility adjacent to residential areas,
107 which shall be defined by local zoning ordinances and regulations,
108 private or public schools, licensed child day care facilities, licensed
109 youth camps or public playgrounds is inconsistent with the purposes
110 of this chapter. An applicant may rebut this presumption by
111 demonstrating to the council that it will be technologically infeasible to
112 bury the facility. In determining such infeasibility, the council shall
113 consider the effect of burying the facility on the reliability of the
114 electric transmission system of the state."